


Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
April 26, 2024

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**CHRISTONE DISTRIBUTION,
INC.**

Debtor in Possession

Case No. 23-10055-mkn

Trustee: Jeanette E. Mcpherson

Chapter: 11

Hearing Date: April 17, 2024

Hearing Time: 9:30 A.M.

**ORDER CONFIRMING AMENDED CHAPTER 11
SMALL BUSINESS SUBCHAPTER V PLAN #6**

This matter came before the Court for hearing on April 17, 2024 at 9:30 AM (the "Confirmation Hearing") pursuant to 11 U.S.C. § 1129 and Federal Rule of Bankruptcy Procedure 3020 for confirmation of the Debtor's Amended Chapter 11 Small Business Subchapter V Plan #6 ("Plan"), filed on 1/16/2024 [ECF No. 140]. Appearances were made by Seth D. Ballstaedt on behalf of the Debtor, Edward M. McDonald on behalf of the U.S. Trustee and Jeanette E. McPherson Subchapter V Trustee.

The Court, having duly considered the statements presented by the aforementioned parties, and after a review of the case record, confirmed the Plan as a non consensual plan under

1 11 U.S.C. § 1191(b). This confirmation, as stated on the record during the Confirmation
2 Hearing, is based on the Court's determination that the Plan meets all statutory requirements
3 under 11 U.S.C. § 1129 and 11 U.S.C. § 1191(b), signifying that it is feasible, fair, equitable, and
4 has garnered the necessary acceptance by the requisite stakeholders.
5

6 IT IS HEREBY ORDERED THAT:

- 7 1. The Plan, as submitted and amended, is hereby CONFIRMED pursuant to §1191(b).
- 8 2. All payments contemplated in the Plan shall commence upon the effective date as detailed
9 in the Plan. Within two business days of the Effective Date, the Reorganized Debtor(s) or
10 any other authorized parties who have been charged with administering the confirmed
11 plan shall file a Notice of Occurrence of the Effective Date with the Bankruptcy Court,
12 identifying the Effective Date and indicating that it has occurred.
- 13 3. Pursuant to the exception provided in 11 U.S.C. § 1194(b), the Debtor shall make all
14 Plan payments, not the Subchapter V Trustee; however, the Subchapter V Trustee shall
15 remain as trustee for the life of the Plan and continue in her duties in conformance with
16 11 U.S.C. § 1183, and the provisions of the Plan, and shall be entitled to seek allowance
17 and payment of its compensation in accordance with applicable provisions of the
18 Bankruptcy Code and the Plan.
- 19 4. The Debtor shall not be discharged except as set forth in 11 U.S.C. § 1192 after the
20 completion of the plan payments.
- 21 5. All provisions of the Plan, as amended, are approved and shall be effective 14 days after
22 the entry of this Order.
- 23 6. This Court shall retain jurisdiction over this matter for all purposes under 28 U.S.C. §§
24 157 and 1334, including the interpretation and enforcement of the terms of the Plan and
25 this Order.
- 26 7. This Order is a final order for purposes of appeal under 28 U.S.C. § 158(a)(1).

27 IT IS SO ORDERED.
28

Submitted by:

/s/ Seth D. Ballstaedt, Esq.
Seth D. Ballstaedt, Esq.
Counsel for Debtor

Approved by:

/s/ Edward M. McDonald
Edward M. McDonald, Esq
Trial Attorney, US Trustee

/s/ Jeanette E. McPherson
Jeanette E. McPherson, Esq
Subchapter V Trustee

ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement of approval under LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☐ I have delivered a copy of this processed order to all counsel who appeared at the hearing, and each has approved the order, or failed to respond, as indicated below:

<u>Party</u>	<u>Approved</u>	<u>Disapproved</u>	<u>Failed to Respond</u>
Edward M. McDonald, Esq	X		
Jeanette E. McPherson, Esq	X		

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

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